

Notice of Allowability

Application No.

10/629,539

Examiner

Lars A Olson

Applicant(s)

PAULO, DOUGLAS G

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the after-final amendment received from the applicant on October 28, 2004.
2. ☒ The allowed claim(s) is/are 2-8.
3. ☒ The drawings filed on 29 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. On line 18 of Claim 8, the phrase "it trailing end" has been deleted and replaced with the phrase "its trailing end".
3. An after-final amendment was received from the applicant on October 28, 2004.
4. Claim 1 has been canceled.

Reasons for Allowance

5. Claims 2-8 are allowed.
6. The following is an examiner's statement of reasons for allowance. The boat hull tunnel extension as claimed is not shown or suggested in the prior art because of the use of a propeller driven boat in combination with a partially cylindrical cone shaped tunnel structure that is disposed along the bottom of said boat from a forward end toward a bow of said boat to a trailing end toward a stern of said boat, said tunnel structure accommodating a propeller shaft with a propeller that is at least partially within said tunnel structure between said forward end and said trailing end, and having a constant radius extension from the position of said propeller within said tunnel structure

to said stern of said boat, said constant radius extension being further comprised of a forward end and a trailing end, and being attached to said bottom of said boat along its sides and to said tunnel structure at its forward end, where said extension is partially tubular at a constant radius beginning at the position of said propeller within said tunnel structure, and said trailing end of said extension extends at said constant radius and attaches to said stern of said boat.

7. The prior art as disclosed by Sherman (US 3,793,980) shows the use of a marine propulsion system for a propeller driven boat that includes a tunnel structure that accommodates a propeller shaft with a propeller between a forward end and a trailing end of said tunnel structure. Kobayashi et al. (US 3,811,399) discloses a boat with a tunnel structure that accommodates a propeller shaft and a propeller, where said tunnel structure has an extension that extends from a position of said propeller within said tunnel structure to a point near the stern of said boat. However, none of the prior art cited shows or suggests the use of a propeller driven boat in combination with a partially cylindrical cone shaped tunnel structure that is disposed along the bottom of said boat from a forward end toward a bow of said boat to a trailing end toward a stern of said boat, said tunnel structure accommodating a propeller shaft with a propeller that is at least partially within said tunnel structure between said forward end and said trailing end, and having a constant radius extension from the position of said propeller within said tunnel structure to said stern of said boat, said constant radius extension being further comprised of a forward end and a trailing end, and being attached to said bottom of said boat along its sides and to said tunnel structure at its forward end, where said

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extension is partially tubular at a constant radius beginning at the position of said propeller within said tunnel structure, and said trailing end of said extension extends at said constant radius and attaches to said stern of said boat.

Conclusion

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

9. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (703) 308-9807.

lo

November 4, 2004

**LARS A. OLSON
PATENT EXAMINER**

Lars Olson
11/4/04